

Message Text

CONFIDENTIAL

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ACTION ARA-14

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FM AMEMBASSY BRASILIA
TO AMEMBASSY MONTEVIDEO IMMEDIATE
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AMEMBASSY MEXICO CITY
AMCONSUL SAO PAULO

C O N F I D E N T I A L BRASILIA 10135

FOLLOWING SENT ACTION BRASILIA 09 DEC 77 REPEATED TO YOU:

QUOTE

CONFIDENTIAL SAO PAULO 3124

E.O. 11652: GDS
TAGS: SHUM, PINT, BR
SUBJ: HUMAN RIGHTS: CASE OF FLAVIO TAVARES

REF: MONTEVIDEO 5641

1. LAWYERS FOR TAVARES -- GERSON MENDONCA AND LUIS CARLOS
ABREU -- CALLED AT CONGEN DECEMBER 8. THEY EXPLAINED EVOLUTION
OF THEIR THINKING ABOUT STRATEGY FOR OBTAINING TAVARES' RELEASE.
MENDONCA SAID THAT HE HAD MET WITH ITAMARATY SPOKESMAN LAMPREIA
ABOUT THREE WEEKS AGO. HE HAD INFORMED LAMPREIA THAT THERE WAS
CONSIDERABLE INTEREST AMONG JOURNALISTS TO PUBLISH STORIES ABOUT
TAVARES' SITUATION, BUT THAT LAWYERS HAD ASKED NEWSPAPERS TO
REFRAIN FROM ATTEMPTING TO CREATE PUBLIC PRESSURES ON GOU WHILE
DIPLOMATIC DEMARCHES WERE UNDERWAY. MENDONCA SAID HE ASKED
LAMPREIA WHETHER HE WAS FOLLOWING THE CORRECT STRATEGY.
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LAMPREIA REPORTEDLY CHECKED WITH FONMIN SILVEIRA AND TOLD MENDONCA
THAT BRAZIL WAS WORKING ON TAVARES CASE THROUGH DIPLOMATIC
CHANNELS. MENDONCA SAID HE LEARNED FROM DIFFERENT SOURCES THAT
SILVEIRA'S OFFICE HAD CONTACTED GOU FONMIN'S OFFICE AND THAT A NOTE
HAD GONE FROM GEISEL'S OFFICE TO APARICIO MENDEZ'S OFFICE ABOUT
TAVARES (THE IMPLICATION WAS THAT THIS WAS A NOTE FROM SOMEONE
IN THE PRESIDENCY, NOT FROM GEISEL).

2. LAWYERS HAD DECIDED TO REPLY ON DIPLOMATIC CHANNELS, BUT O ESTADO REPORTER GAINED ACCESS TO TAVARES AND WAS MOVED BY HIS CONDITION. LAWYERS SAID THEY BELIEVE THAT TAVARES ALSO REACTED EMOTIONALLY, DRAMATIZING HIS POSITION. THEY SAID THAT THE STORY PRINTED IN O ESTADO WAS A MILD VERSION OF WHAT WAS WRITTEN ORIGINALLY. STORY DID HAVE EFFECT, HOWEVER, OF INVOLVING O ESTADO PUBLISHER JULIO MESQUITA DIRECTLY IN TAVARES' CASE AND LED TO EDITORIAL ON HIS SITUATION. IT ALSO PROMPTED JOURNALISTS' UNION TO PREPARE A PETITION TO GEISEL, ASKING HIM TO SECURE TAVARES' RELEASE. LAWYERS STATED THEY PERSUADED JOURNALISTS NOT TO DELIVER PETITION BECAUSE PRIVATE REQUEST WITH SAME OBJECTIVE WAS ALREADY ON GEISEL'S DESK. ABREU SAID THAT THEY EXPECTED PRESIDENT'S DECISION DECEMBER 9.

3. LAWYERS SAID THAT THEY ARE INTENSIFYING THEIR EFFORTS NOW IN ORDER TO SECURE TAVARES' RELEASE AS PART OF THE END OF YEAR PARDONS. PRIVATELY, THEY STATED THAT THEY PLAN TO ARGUE WITH THE GOB THAT ACTION SHOULD BE TAKEN ON TAVARES BEFORE THE PRESS OF BOTH COUNTRIES FOCUSES ATTENTION ON PLANS FOR GEISEL'S TRIP. THEY ARE CONCERNED THAT IF THE DECISION WERE POSTPONED, IT MIGHT LOOK LIKE GEISEL WERE TOO INTERESTED IN TAVARES AND ENGENDER CONSERVATIVE CRITICISM OR PUT THE GOU IN THE POSITION OF APPEARING TO BE REACTING TO BRAZILIAN PRESSURE. INCLUDING TAVARES IN THE END OF YEAR PARDONS WOULD BE A FACE-SAVING GAMBIT. MEANWHILE, THE LAWYERS SAID THEY ARE ENCOURAGING JOURNALISTS TO MAKE REFERENCE TO TAVARES CONFIDENTIAL

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IN EVERY MENTION OF GEISEL'S TRIP.

4. COMMENT: TAVARES' LAWYERS APPEAR TO BE ATTEMPTING TO PRESENT THE GOB WITH A SUGGESTED SOLUTION AS PART OF THE PREPARATION FOR GEISEL'S VISIT. IT IS COMMENT ON THE GOVERNMENT'S CREDIBILITY AND ON THE LAWYERS' AGGRESSIVENESS THAT, ALTHOUGH THEY HAVE HAD ENCOURAGING INDICATIONS FROM ITAMARATY AND EXPECT A DECISION FROM THE PRESIDENT, THEY ARE STILL PURSUING ALTERNATIVE COURSES OF ACTION.

CHAPIN UNQUOTE
JOHNSON

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